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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/767,121	ZHOU, ZHIPING ("JAMES")	
	Examiner	Art Unit	
	Michelle R. Connelly-Cushwa	2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Applicant's Amendment and Terminal Disclaimers filed 1/23/06 and 2/6/06.

2.  The allowed claim(s) is/are 1-38.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
- 4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- 5.  Notice of Informal Patent Application (PTO-152)
- 6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_

*Michelle R. Connelly-Cushwa*  
**MICHELLE CONNELLY-CUSHWA**  
**PRIMARY EXAMINER**  
*2/17/06*

**DETAILED ACTION**

***Response to Amendment***

Applicant's Amendment filed January 23, 2006 has been fully considered and entered.

***Terminal Disclaimer***

The terminal disclaimer filed on January 23, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,490,393 has been reviewed and is accepted. The terminal disclaimer has been recorded.

The terminal disclaimer filed on February 6, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,718,093 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Response to Arguments***

Applicant's arguments, see pages 13-14, filed January 23, 2006, with respect to claims 1-31 have been fully considered and are persuasive. The double patenting rejections of claims 1, 13-23 and 31-38 set forth in the previous Office actions have been withdrawn.

***Allowable Subject Matter***

Claims 1-38 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art cited on form PTO-892, which is attached to the Office action mailed October 19, 2005,

is the most relevant prior known, however, the invention of claims 1-38 distinguishes over the prior art of record because none of the references either alone or in combination disclose or render obvious:

- a method for manufacturing an optical demultiplexer or an integrated circuit substrate, as defined in claim 1, comprising fabricating an array of optical detectors on the substrate, fabricating a signal conditioning circuit on the substrate, forming a first layer of optically transparent material on the substrate covering the array of optical detectors and signal conditioning circuit, fabricating a binary blazed grating on the first layer of the optically transparent material, and forming a second layer of optically transparent material over the first layer and binary blazed grating to form an optical waveguide in combination with the other limitations of the claim; or
- a method for manufacturing an optical multiplexer on an integrated circuit substrate, as defined in claim 2, comprising positioning an array of optical emitters on the substrate, fabricating a signal conditioning circuit on the substrate, forming a first layer of optically transparent material on the substrate covering the array of optical emitters and signal conditioning circuit, fabricating a binary blazed grating on the first layer of optically transparent material, and forming a second layer of

optically transparent material over the first layer and binary blazed grating to form an optical waveguide in combination with the other limitations of the claim.

Claims 2-30 and 34 depend from claim 1, and claims 32, 33 and 35-38 depend from claim 31.

Hence, there is no reason or motivation for one of ordinary skill in the art to use the prior art of record to make the invention of claims 1-38.

***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning the merits of this communication should be directed to Examiner Michelle R. Connelly-Cushwa at telephone number (571) 272-2345. The examiner can normally be reached 9:00 AM to 7:00 PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B. Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general or clerical nature should be directed to the Technology Center 2800 receptionist at telephone number (571) 272-1562.

*Michelle R. Connelly-Cushwa*

Michelle R. Connelly-Cushwa

Patent Examiner

February 16, 2006